

EXHIBIT 1

FILED UNDER SEAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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WAYMO LLC,

Plaintiff,

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING,

INC.,

Defendants.

1

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WAYMO LLC RULE 30(b)(6)

VIDEOTAPED DEPOSITION OF PIERRE-YVES DROZ

PALO ALTO, CALIFORNIA

THURSDAY, AUGUST 3, 2017

REPORTED BY:

ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~

CSR LICENSE NO. 9830

JOB NO. 2663199

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| | | | |
|----|---|--|-------|
| 1 | A | I do. | 09:49 |
| 2 | Q | Next to Trade Secret No. 90 is Bernard | 09:49 |
| 3 | | Fidric. | 09:49 |
| 4 | | Do you see that name? | 09:49 |
| 5 | A | Uh-huh. | 09:49 |
| 6 | Q | Aside from Mr. Fidric, was there anyone else | 09:49 |
| 7 | | directly involved in the development of Trade Secret | 09:50 |
| 8 | | No. 90? | 09:50 |
| 9 | A | So directly involved? | 09:50 |
| 10 | Q | Yes. | 09:50 |
| 11 | A | Yeah, I think Bernard was the only person. | 09:50 |
| 12 | Q | The only person? | 09:50 |
| 13 | A | Yes. | 09:50 |
| 14 | Q | Are you knowledgeable about the development | 09:50 |
| 15 | | of Trade Secret 90? | 09:50 |
| 16 | A | I am knowledgeable. | 09:50 |
| 17 | Q | You are knowledgeable? | 09:50 |
| 18 | A | Yes. | 09:50 |
| 19 | Q | And how are you knowledgeable? | 09:50 |
| 20 | A | By kind of being a side observer of the | 09:50 |
| 21 | | development process. | 09:50 |
| 22 | Q | Did you have conversations with Mr. Fidric | 09:50 |
| 23 | | before your deposition today? | 09:50 |
| 24 | | MR. JAFFE: So, I just want to caution you, I | 09:50 |
| 25 | | think he's -- he's asking in preparation for your | 09:50 |

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1 deposition, if you had. 09:50

2 THE WITNESS: Okay. 09:50

3 MR. JAFFE: So you can answer that yes or no. 09:50

4 THE WITNESS: No, not in preparation of 09:50

5 the -- 09:50

6 MR. KIM: Q. You did not speak with him in 09:50

7 preparation for this deposition? 09:50

8 MR. JAFFE: Same caution. You can answer yes 09:50

9 or no. 09:50

10 THE WITNESS: No. 09:50

11 MR. KIM: Q. Have you talked to Mr. Fidric 09:50

12 about this case at all? 09:50

13 MR. JAFFE: So I want to caution you not to 09:50

14 reveal any attorney-client privileges. So to the 09:50

15 extent that you've had conversations with Mr. Fidric 09:51

16 in the context of working with your attorneys, such as 09:51

17 me -- 09:51

18 THE WITNESS: Yeah. 09:51

19 MR. JAFFE: -- or anyone else in the legal 09:51

20 department, I instruct you not to answer. 09:51

21 But if you had conversations with him outside 09:51

22 of that context, you can answer. 09:51

23 MR. KIM: Q. And right now, I'm just asking 09:51

24 you if you've had conversations with him -- 09:51

25 A So -- 09:51

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1 Q -- about this case. I believe you can answer 09:51
2 that yes or no. 09:51

3 MR. JAFFE: Same caution. Go ahead. 09:51

4 THE WITNESS: I -- not that I can recall, 09:51
5 except for the -- the -- maybe talking about, you 09:51
6 know, date of depositions and things like this. 09:51

7 MR. KIM: Q. The date of the depositions? 09:51

8 A Yes. 09:51

9 Q So why did you tell Mr. Fidric about the date 09:51
10 of your deposition? 09:51

11 A He is, you know, one of my reports. Not the 09:51
12 date of my deposition; the date of his deposition. 09:51
13 He's one of my reports. And so just in the scheduling 09:51
14 work, just understanding when he would be, like, 09:51
15 obviously, missing for today. 09:51

16 Q So what did you do to prepare to testify as 09:51
17 Waymo's corporate designee on Trade Secret No. 90? 09:51

18 A So I met with counsel. We -- I reviewed 09:52
19 the -- you know, the trade secret list is one other 09:52
20 thing I reviewed. The -- you know, the -- some of 09:52
21 the -- the -- the interrogatory responses. 09:52

22 And then I also reviewed the document that, 09:52
23 you know, this picture comes from. I don't remember 09:52
24 the exact name of the presentation about the -- the 09:52
25 **fiber laser.** 09:52

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1 That's a non-exhaustive list, but that's what 09:52
2 I can remember. 09:52

3 Q Okay. And let me ask you the same question 09:52
4 generally. 09:52

5 So what did you do to prepare to testify for 09:52
6 your corporate witness deposition? 09:52

7 Did you meet with counsel? 09:52

8 MR. JAFFE: So, I'm going to object to form 09:52
9 to that question. 09:52

10 I think he's asking you a yes-or-no question 09:53
11 at this point. 09:53

12 THE WITNESS: Answer yes. 09:53

13 MR. KIM: Q. And when did you meet with 09:53
14 counsel? 09:53

15 MR. JAFFE: Again, just caution the witness. 09:53
16 You can answer as to the time. 09:53

17 THE WITNESS: Yesterday. 09:53

18 MR. KIM: Q. Yesterday, for how long? 09:53

19 MR. JAFFE: Same caution. Go ahead. 09:53

20 THE WITNESS: The length of the day, so maybe 09:53
21 that would be seven or eight hours on this, maybe a 09:53
22 bit more. 09:53

23 MR. KIM: Q. And who was present at that 09:53
24 meeting with counsel? 09:53

25 MR. JAFFE: Again, caution you not to reveal 09:53

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1 to actually make sure that the -- that I want to make 14:01
2 sure it had, you know, the -- the basic information in 14:01
3 it, right, and not just from memory. 14:01

4 MR. KIM: Q. So was there something in there 14:01
5 that you had forgotten and remembered after looking at 14:01
6 it? 14:02

7 A There's -- I mean, there's all -- you know, I 14:02
8 mean, the -- when we last time had, you know, looked 14:02
9 at document was quite a while back. And so the -- 14:02
10 the -- I don't remember when, but -- and so that there 14:02
11 are things in it that I didn't remember and that, by 14:02
12 looking at it, I, after that, remembered. 14:02

13 Q Okay. And, aside from the '922 pat- -- 14:02
14 '936 patent, was there any other document that 14:02
15 contained information that you had forgotten until you 14:02
16 reviewed it yesterday? 14:02

17 A Yeah, so another document, for example, was 14:02
18 the -- the, you know, schem- -- the -- the simulations 14:02
19 and schematics for simulation that I had done in -- 14:02
20 like, before -- you know, before coming up with the -- 14:02
21 the concept of '936. And so we looked at this. 14:02

22 Q What else? 14:03

23 A The -- we looked at the -- an article from 14:03
24 the -- the Washington Post. 14:03

25 And there were a lot of documents. I'm 14:03

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1 trying to remember all documents we looked at. 14:03

2 We looked at the -- I'm trying to remember. 14:03

3 I mean, the -- the trade secret list was one of them. 14:03

4 The interrogatory response was another. 14:03

5 I mean, I have a hard time making an 14:03

6 exhaustive list because there was, like, a lot of 14:03

7 things. 14:03

8 But the -- we looked at also, like, files 14:03

9 that were part of the -- the download. So there was 14:04

10 one page of a schematic that came from, like, a GBr 14:04

11 schematic that came from SVN. 14:04

12 There were also documents about, you know, 14:04

13 this -- this presentation that we talked about 14:04

14 earlier, like, the -- the fiber -- the fiber -- 14:04

15 position of the fiber laser. 14:04

16 And the -- we also looked at, I think, the 14:04

17 ERS, like, the GBr Tx ERS. 14:04

18 And there was also a presentation, like, a 14:04

19 spreadsheet on laser -- like, comparison of different 14:04

20 lasers, laser specs, that we looked at. 14:05

21 That's what I remember. I mean, there may be 14:05

22 more, but I think that's what I remember now. 14:05

23 Q So, what about that one-page schematic file 14:05

24 from the SVN? 14:05

25 A Yes. 14:05

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1 Do you want to take a break? 14:42

2 THE WITNESS: Yes. 14:42

3 MR. KIM: Okay. 14:42

4 THE VIDEOGRAPHER: Going off the record. The 14:42

5 time is 2:41 p.m. 14:42

6 (Recess taken.) 14:42

7 THE VIDEOGRAPHER: Back on the record. The 15:30

8 time is 3:29 p.m. 15:30

9 MR. KIM: Okay. Just a couple of 15:30

10 housekeeping issues before we get back to questioning. 15:30

11 So, at the break, I conferred with Waymo's 15:30

12 counsel about the production of documents used to 15:30

13 refresh the recollection of Mr. Droz. 15:30

14 And we reached agreement that plaintiff's 15:30

15 counsel, Mr. Jaffe, would e-mail us the documents that 15:30

16 refreshed Mr. Droz's recollection, and that we would 15:30

17 be responsible for printing out those exhibits, given 15:30

18 that this deposition is taking place at Morrison & 15:30

19 Foerster's offices. 15:30

20 The other housekeeping -- 15:30

21 MR. JAFFE: Well, let me just -- I think 15:31

22 that's -- that's generally accurate. I don't -- as I 15:31

23 stated in the e-mail that I sent you all at the break, 15:31

24 we don't believe that these are required under 15:31

25 Judge Alsup's standing order, for the reasons that I 15:31

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1 stated, which I think the question that you asked him 15:31
2 was about his preparation as a 30(b)(6) witness, and 15:31
3 that's what he answered. And I don't think that's 15:31
4 what Judge Alsup's order is talking about. 15:31

5 But, as an offer of compromise and to avoid 15:31
6 any disputes, I told you I'd send you the documents, 15:31
7 which is what I did. 15:31

8 MR. KIM: Okay. And deposition Exhibit 1284, 15:31
9 just for the record, we've been talking about is 15:31
10 Exhibit I to Mr. Droz's declaration submitted in this 15:31
11 case in support of the -- Waymo's preliminary 15:31
12 injunction motion. So I just wanted to state that for 15:31
13 the record as well. 15:32

14 MR. JAFFE: Can we just pause for a second? 15:32

15 MR. KIM: Can we go off the record? 15:32

16 THE VIDEOGRAPHER: Here you go. 15:32

17 MR. KIM: Okay. 15:32

18 Q Mr. Droz, we were looking at Exhibit 1274, 15:32
19 which is a list of trade secrets. 15:32

20 A Okay. 15:32

21 Q And I wanted to direct your attention to 15:32
22 page 11. 15:32

23 A (Witness complies.) 15:32

24 Q Okay. 15:32

25 Q And ask you about Trade Secret No. 14. And, 15:32

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1 for four and a half days. So -- so -- but I don't 18:29
2 want to disrupt the deposition because I've got to -- 18:29
3 I've got to catch -- but I'll stay as long as I can. 18:29
4 MR. KIM: So I'll just state that we are six 18:29
5 hours into this deposition. And due to multiple 18:29
6 reasons, including our position that Mr. Droz was not 18:29
7 sufficiently prepared to testify on the deposition 18:29
8 topics for which he was designated, and due to the 18:29
9 late production of documents that were used to refresh 18:29
10 his recollection, among other things, we are going to 18:29
11 hold this deposition open after seven hours, and 18:29
12 reserve the right to continue his deposition. 18:30
13 MR. JAFFE: Were there -- were there any 18:30
14 documents that you didn't have printed out that I sent 18:30
15 you by e-mail? 18:30
16 MR. KIM: Yes, I think a lot of them -- 18:30
17 MR. JAFFE: A lot of them? 18:30
18 MR. KIM: -- weren't printed out, yes. 18:30
19 MR. JAFFE: How many? 18:30
20 MR. KIM: I don't remember. 18:30
21 MS. CHAN: We printed out the documents that 18:30
22 you sent us. 18:30
23 MR. JAFFE: Right. Right. 18:30
24 I'm asking, did you have -- previously 18:30
25 printed out? 18:30

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1 MR. KIM: Yeah. I -- I think there were 18:30
2 multiple documents. I don't remember exactly how 18:30
3 many. 18:30
4 MR. JAFFE: And are you going to use them 18:30
5 today? 18:30
6 MR. KIM: I -- if I get to them. My whole 18:30
7 point is, I don't think I'll have time to get to them. 18:30
8 MR. JAFFE: So I don't know if we need to 18:30
9 debate this. If there's any specific point that you 18:30
10 view he wasn't prepared on the topics he was actually 18:30
11 designated for, let's discuss it. 18:30
12 And if there's some amount of time that you 18:30
13 want to have beyond the seven hours today, so we can 18:30
14 avoid disputes, let's discuss it. 18:30
15 MR. KIM: Yeah. Well, let's discuss it off 18:30
16 the record, because I don't want to waste my precious 18:30
17 time remaining hashing that out. 18:30
18 MR. JAFFE: That's fine. 18:31
19 MR. KIM: Okay. 18:31
20 Q So Mr. Droz, before we go on, are you 18:31
21 available tomorrow for a continued deposition? 18:31
22 MR. JAFFE: So I'm going to object. That is 18:31
23 outside the scope. 18:31
24 You know, I'd like the opportunity to confer 18:31
25 with my client if you're asking for his deposition 18:31

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1 MR. KIM: Okay. I think I'm out of time. As 19:16
2 mentioned, we're holding open this deposition and -- 19:16
3 MR. JAFFE: How much more time do you want? 19:17
4 MR. KIM: -- and reserve our right to 19:17
5 continue. 19:17
6 MR. JAFFE: How much more time do you want? 19:17
7 MR. KIM: I can't -- I can't say it right 19:17
8 now. 19:17
9 MR. JAFFE: Won't even -- you won't even tell 19:17
10 me how much time you want? 19:17
11 We're ready. We're sitting right now. 19:17
12 MR. KIM: I think I would need at least -- 19:17
13 MR. JAFFE: What do you want him to talk 19:17
14 about? He's ready. 19:17
15 MR. KIM: I think we could go another seven 19:17
16 hours. 19:17
17 MR. JAFFE: You want to take another seven 19:17
18 hours now? 19:17
19 MR. KIM: We -- you're asking me for an 19:17
20 outside limit. I -- I don't want to constrain myself. 19:17
21 MR. JAFFE: I'm trying to make this 19:17
22 productive, and you guys are plainly just angling to 19:17
23 gain this. 19:17
24 So, how much more time do you want? Can we 19:17
25 solve this problem right now? 19:17

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1 MR. KIM: I -- I don't think so, unless we're 19:17
2 prepared to go another seven hours. 19:17
3 MR. JAFFE: Seven hours? That's your only 19:17
4 offer? 19:17
5 MR. KIM: I -- look -- 19:17
6 MR. JAFFE: What do you want him prepared 19:17
7 about? 19:17
8 MR. KIM: -- I'm not going to be -- 19:17
9 MR. JAFFE: What do you contend he's not 19:17
10 prepared about? 19:17
11 MR. KIM: Among other things, he was not 19:17
12 prepared to talk about the cost of the -- 19:17
13 MR. JAFFE: He wasn't designated on that. I 19:17
14 said that 5,000 times. 19:17
15 MR. KIM: He was up until the -- the start of 19:18
16 this deposition. 19:18
17 MR. JAFFE: No. 19:18
18 MR. KIM: There was no objection in your 19:18
19 communication to us. 19:18
20 MR. JAFFE: I disagree. 19:18
21 MR. KIM: We marked the e-mail as an exhibit 19:18
22 to this deposition. So we have a disagreement on 19:18
23 that. But if anything, you withdrew him at the last 19:18
24 minute -- 19:18
25 MR. JAFFE: No. 19:18

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1 MR. KIM: -- after the deposition started. 19:18
2 MR. JAFFE: I -- I disagree. 19:18
3 MR. KIM: Can you -- 19:18
4 MR. JAFFE: What I'm trying to do is ask you 19:18
5 what you want him to talk about. Someone else is 19:18
6 going to be designated on cost. 19:18
7 MR. KIM: He was also not prepared to talk 19:18
8 about the deposition for which he did not contribute 19:18
9 to the development and did not even bother to talk 19:18
10 to -- 19:18
11 MR. JAFFE: The deposition he didn't 19:18
12 contribute to? That doesn't make sense. 19:18
13 MR. KIM: The trade secret that he was not 19:18
14 part of developing. 19:18
15 MR. JAFFE: You didn't even put the document 19:18
16 in front of him. 19:18
17 MR. KIM: Yeah, well, like I said, I -- 19:18
18 MR. JAFFE: He has factual knowledge. 19:18
19 MR. KIM: I have more time -- 19:18
20 MR. JAFFE: Go forth. 19:18
21 You don't have anymore time. 19:18
22 MR. KIM: Well -- 19:19
23 MR. JAFFE: What do you want -- 19:19
24 MR. KIM: Okay. 19:19
25 MR. JAFFE: -- what do you want to do? 19:19

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1 MR. KIM: Okay. 19:19

2 MR. JAFFE: Put the document in front of him. 19:19

3 Ask him -- 19:19

4 MR. KIM: We're going to have to -- we're 19:19

5 going to have to continue the deposition anyway. 19:19

6 MR. JAFFE: He's -- not necessarily. He's 19:19

7 prepared to talk about Trade Secret 90. Put the 19:19

8 document in front of you. Ask him questions. I'm 19:19

9 inviting you to do that right now. 19:19

10 MR. KIM: Okay. Let's -- if you want to 19:19

11 continue, we can continue. 19:19

12 MR. JAFFE: Well, I want to come to an 19:19

13 agreement. 19:19

14 MR. KIM: Okay. I'm not going to constrain 19:19

15 myself ahead of time to a outside limit. Look, I'm 19:19

16 offering to continue the deposition for another day. 19:19

17 I'm happy to keep going. 19:19

18 MR. JAFFE: Here's what we're not going to 19:19

19 do. We're not going to have a situation where you say 19:19

20 he wasn't prepared to talk about Trade Secret 90, when 19:19

21 you literally haven't put the document in front of 19:19

22 him. 19:19

23 MR. KIM: I'm happy to question him about -- 19:19

24 MR. JAFFE: You're out of time. 19:19

25 MR. KIM: -- Trade Secret 90 now. 19:19

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1 MR. JAFFE: I'm trying to come to an 19:19
2 agreement. 19:19

3 MR. KIM: So you just said I'm out of time. 19:19

4 MR. JAFFE: Well, do you want to put the 19:19
5 document and ask him if he's prepared to talk about 19:19
6 it? 19:19

7 MR. KIM: I will ask him about document -- 19:19
8 Trade Secret 90, yes. 19:19

9 MR. JAFFE: Okay. How much time would you 19:19
10 like to do that? 19:19

11 MR. KIM: Well, I'm not going to say I -- 19:19

12 MR. JAFFE: This isn't going to be 19:19
13 open-ended. How much time would you like? 19:19

14 MR. KIM: Look, I'm prepared to continue 19:19
15 asking questions and happy to do so, but I'm not going 19:19
16 to commit to an outside limit of time. 19:20

17 MR. JAFFE: How much time would you like to 19:20
18 ask him -- 19:20

19 MR. KIM: I told you -- 19:20

20 MR. JAFFE: -- about Trade Secret 90? 19:20

21 MR. KIM: -- at this point -- 19:20

22 MR. JAFFE: The only number you've given me 19:20
23 is seven hours. That's not reasonable. Everyone 19:20
24 knows that's not reasonable, sitting at this table. 19:20

25 MR. KIM: Look, I'll also need time to go 19:20

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1 over the documents that were produced late during this 19:20
2 deposition. Otto Trucking -- 19:20
3 MR. JAFFE: He's produced documents. That's 19:20
4 a complete mischaracterization. 19:20
5 MR. KIM: Yeah. Well, at a minimum, we're 19:20
6 going to have to continue his deposition also in his 19:20
7 personal capacity. 19:20
8 MR. JAFFE: You chose to not use that time. 19:20
9 That was up to you. 19:20
10 MR. KIM: Disagree. 19:20
11 MR. JAFFE: You already took him once in his 19:20
12 personal capacity. This was your election of the 19:20
13 time. 19:20
14 I'm asking you right now: Other than seven 19:20
15 more hours, do you have anything to say? 19:20
16 MR. KIM: No. I think I've made my position 19:20
17 clear. 19:20
18 MR. JAFFE: Okay. Well, we're here, and 19:20
19 you're choosing to go off the record. 19:20
20 MR. KIM: No, I'm not choosing to go off the 19:20
21 record. Like I said, I'm -- I'm willing to continue 19:20
22 asking questions. 19:20
23 MR. JAFFE: This isn't a good faith 19:20
24 negotiation. You said seven hours or nothing. I'm 19:20
25 trying to -- to resolve this. You want to game it. 19:20

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1 That's up to you. That's your -- your thing. We 19:21
2 can -- I -- I invite you to do this. I invite you to 19:21
3 ask about Trade Secret 90. 19:21
4 MR. KIM: I will. 19:21
5 MR. JAFFE: So how much time would you like 19:21
6 to ask about Trade Secret 90? 19:21
7 MR. KIM: We'll see. It depends on his 19:21
8 answers. 19:21
9 MR. JAFFE: You can't tell me right now? 19:21
10 He's ready to talk about it right now. 19:21
11 MR. KIM: I can't -- I can't tell you right 19:21
12 now. 19:21
13 MR. JAFFE: I'm inviting you to do it. Would 19:21
14 you like a half hour to talk about Trade Secret 90? 19:21
15 MR. KIM: I'd like to ask him questions about 19:21
16 Trade Secret 90, and happy to do so. 19:21
17 MR. JAFFE: You're refusing to do that? 19:21
18 MR. KIM: Yeah, I'm refusing to give you a 19:21
19 specific amount of time. It depends on what he knows. 19:21
20 And at this point, I have no idea what he knows about 19:21
21 Trade Secret 90. 19:21
22 MR. JAFFE: Because you chose not to ask him 19:21
23 about it. Whose fault is that? Come on. 19:21
24 So just so the record is clear, you used your 19:21
25 seven hours. I'm trying to engage. How much more 19:21

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1 time would you like? Your only offer is seven hours. 19:21
2 And you're saying he's unprepared to talk about a 19:21
3 trade secret that -- you literally didn't put the 19:21
4 document in front of him. I mean, we can be done if 19:21
5 that's what you choose. I'm trying to engage in good 19:21
6 faith and negotiate to get this behind us, but you 19:21
7 don't want to do that. 19:21

8 MR. KIM: Like I said, I'm willing to go 19:22
9 forward with questioning him on Trade Secret 90. 19:22

10 MR. JAFFE: How much time would you like 19:22
11 to -- I mean, we can go around and around. How much 19:22
12 time would you like on Trade Secret 90? 19:22

13 MR. KIM: So I think I've got some additional 19:22
14 questions on the '936 patent as well. 19:22

15 MR. JAFFE: What is he not prepared for? You 19:22
16 told me he's not prepared on the -- on Trade 19:22
17 Secret 90. 19:22

18 MR. KIM: Oh, okay. Look, we're either going 19:22
19 to continue this deposition or we're not. I'm happy 19:22
20 to continue. 19:22

21 MR. JAFFE: I'm happy to continue if you can 19:22
22 give me some outer bound. 19:22

23 MR. KIM: I'm not going to give you an outer 19:22
24 bound. 19:22

25 MR. JAFFE: Okay. Then we're done. That's 19:22

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1 fine. If -- if you're -- 19:22

2 MR. KIM: Well, we're hoping -- 19:22

3 MR. JAFFE: -- refusing to negotiate -- 19:22

4 MR. KIM: -- to hold this deposition open. 19:22

5 THE REPORTER: One at a time, please. 19:22

6 MR. JAFFE: I mean, I -- I don't know how to 19:22

7 make this clear. I'm trying to negotiate to -- to 19:22

8 avoid compromise. 19:23

9 You're saying seven hours. You're arguing 19:23

10 that he's not prepared for a document you didn't put 19:23

11 in front of him and even ask him about his knowledge 19:23

12 for. 19:23

13 So I -- I don't know where that leaves us, 19:23

14 other than you made your choices, and that's up to 19:23

15 you. We don't need to keep debating this. So if 19:23

16 you're not going to agree to some limit, we can be 19:23

17 done. 19:23

18 MR. KIM: Yeah. So I'm just going to 19:23

19 reiterate for the record that we have not started 19:23

20 Mr. Droz's personal capacity deposition. Otto 19:23

21 Trucking also has not yet had a chance to answer 19:23

22 questions. 19:23

23 MR. JAFFE: Are you -- do you represent Otto 19:23

24 Trucking? 19:23

25 MR. KIM: We haven't completed questioning on 19:23

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1 the '936 patent. We're on the multitude of other 19:23
2 deposition topics that he was designated for. Given 19:23
3 the breadth of the deposition topics that Mr. Droz was 19:23
4 designated, that in and of itself justifies a longer 19:24
5 deposition. 19:24

6 And the -- as I mentioned, we're happy to 19:24
7 continue the deposition on another day or go forward. 19:24

8 MR. JAFFE: How much more time? 19:24

9 MR. KIM: I'm not going to give you -- I'm 19:24
10 not going to give you an outer bound at this point. 19:24
11 We can just keep going until I get to ask my 19:24
12 questions, or we can reschedule this for another day. 19:24

13 MR. JAFFE: I -- I'm -- I'm trying to 19:24
14 negotiate. I understand you're not going to give a 19:24
15 time, so it doesn't sound productive. I disagree. 19:24
16 You chose to spend your time how you chose to spend 19:24
17 it. So we -- we clearly disagree. We don't need to 19:24
18 debate about that anymore. 19:24

19 Mr. Chatterjee had to go. That's not my 19:24
20 fault. That's not Mr. Droz's fault. He's not here. 19:24

21 MR. KIM: Understood. 19:24

22 MR. JAFFE: All right. 19:24

23 MR. KIM: We're holding this deposition open. 19:24
24 It's not closed. 19:24

25 MR. JAFFE: I -- I'm -- we can agree to 19:24

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1 disagree. I -- I don't think that's -- I think that's 19:24
2 fine. We can -- we don't need to resolve that right 19:24
3 now. 19:24
4 MR. KIM: And I just want to make very clear, 19:24
5 I'm prepared to continue this deposition now. 19:24
6 MR. JAFFE: So -- so were we. And if you can 19:24
7 give me something other than seven more hours, we can 19:25
8 do it. 19:25
9 MR. KIM: That's the amount of time I need. 19:25
10 I -- 19:25
11 MR. JAFFE: That's not a reasonable ask. You 19:25
12 know it's not a reasonable ask. I know it's not a 19:25
13 reasonable ask. 19:25
14 MR. KIM: I think -- I think it is. 19:25
15 MR. JAFFE: Okay. Well then, you know, if 19:25
16 the only ask that's on the table is -- is seven more 19:25
17 hours -- 19:25
18 MR. KIM: Yes. 19:25
19 MR. JAFFE: -- we're not doing that right 19:25
20 now. 19:25
21 MS. BARTOW: I think our hardest working 19:25
22 person in the room -- 19:25
23 THE REPORTER: I can't hear you. 19:25
24 MS. ATTORNEY: I think our hardest working 19:25
25 person in the room is close to expiring as well. 19:25

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1 MR. JAFFE: I -- I don't think -- I agree. I 19:25
2 don't think we're being productive with this at all. 19:25
3 So I've made clear our position repeatedly. 19:25
4 You've made clear your position repeatedly. 19:25
5 I think we can go off the record, because I 19:25
6 don't -- it doesn't seem like this is going anywhere. 19:25
7 MR. KIM: Okay. Let's go off the record. 19:25
8 And as I stated -- 19:25
9 THE VIDEOGRAPHER: Do you want to deal with 19:25
10 this, the first one, 1271? We never did anything 19:25
11 about it. 19:25
12 MR. KIM: Oh, 1271? No, because this was his 19:25
13 notice for his personal capacity deposition, which 19:26
14 hasn't started. 19:26
15 THE VIDEOGRAPHER: So this conclude -- this 19:26
16 concludes today's videotaped deposition of Waymo LLC 19:26
17 pursuant to Rule 30(b)(6). 19:26
18 We're off the record at 7:25 p.m. 19:26
19 Thank you. 19:26
20 (WHEREUPON, the deposition ended 19:26
21 at 7:25 p.m.)
22
23
24
25